

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBIN HIGHTOWER

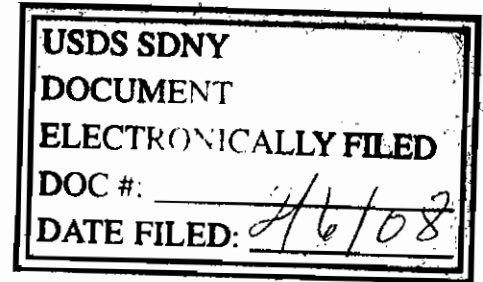
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07 cv 10964 (HB)

Plaintiff,

VOLUNTARY DISMISSAL
FRCP 41(a)(i)

-against-

THE CITY OF NEW YORK; RAYMOND W. KELLY, as Police Commissioner; NELDRA M. ZEIGLER, as Deputy Commissioner, Office of Equal Employment Opportunity; TIMOTHY BUGGE, as Captain, Commanding Officer, 42nd Precinct; MICHAEL DeBELLIS, as Captain, Former Commanding Officer, 42nd Precinct; and WILLIAM GATO, as Lieutenant, Former Operations Coordinator, 42nd Precinct, each being sued individually and in their official capacities as employees of defendant CITY OF NEW YORK.

Defendants.
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THE PLAINTIFF HEREBY, having appeared before this Court through the attorney of record, after the defendants' made a motion to remove the original action from the Supreme Court of the State of New York, County of the Bronx, whereas no party to this action is an infant, an incompetent person for whom a committee has been appointed, or a conservatee; and no person who is not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued as to all federal claims pursuant to Fed. R. Civ. P. 41(a)(i) as against defendants' THE CITY OF NEW YORK; RAYMOND W. KELLY; NELDRA M. ZEIGLER; TIMOTHY BUGGE; MICHAEL DeBELLIS; and WILLIAM GATO s/b PHILLIP GATO, with prejudice, for said pendant claims to be fully litigated in the Supreme Court of the State of New York, County of the Bronx.

The clerk is directed to close this matter + remove it from my docket.

Dated: February 5, 2008
Lake Success, N.Y.

By: Eric Sanders
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SO ORDERED:
Harold Baer, Jr.
Harold Baer, Jr., U.S.D.J.
Date: 2/6/08